

public utilities board. She said if this did not work out, he could reapply.

Mayor Ball asked if the applicant would have to modify his application or could he reapply and put the same application forward.

Ms. Corser said he could but whether he would.

Councillor Hendsbee asked if the applicant was aware of the things that could happen tonight.

Ms. Corser said she has been through the process with him and he was notified on May 4th about this meeting.

Councillor Hendsbee said he would like to defer this to give the applicant notification of the urgency and for him to perhaps provide more information to council in regards to the type of building and to clean up the property.

It was moved by Councillor Hendsbee,

'THAT THIS BE DEFERRED'

Motion lost due to lack of seconder.

ORIGINAL MOTION CARRIED

DA-1&3-01-94-01 - DEVELOPMENT AGREEMENT TO ALLOW FOR TOURIST CABINS AND ASSOCIATED RECREATIONAL ACTIVITIES ON THE LANDS OF LAMONT AND KATHLEEN FADER IN INGRAMPORT

Ms. Corser gave the staff presentation. She said this application is for a development agreement. It is a request to allow for twelve tourist cabins and associated recreational activities on lands owned by Lamont and Kathleen Fader in Ingramport. It is a thirty two acre parcel. The Faders currently live on the property. They have some agricultural uses such as Christmas Tree farming, etc. It is their intention to start with four cabins and eventually develop into twelve. Each cabin would have sleeping, kitchen and bathroom facilities and be fully winterized and serviced with electricity for year round use. The recreational activities in association with the cabins would include hiking, horse back riding, cross country skiing and canoeing. These would be offered to patrons of the cabins. In the event that this venture was successful, the Faders are hoping to develop a camp ground on the rear of the property. She said this is a longer term proposal and approval is not being requested under the agreement being put forward tonight.

She proceeded to show slides of the property to council. The

property is characterized by drumlins and is characterized by some high elevations and when you are up on the high areas there is some quite impressive views of the area. The cabins would be located so as to take advantage of these views. She said it is all mixed forest covering the property. A portion of the site was clear cut about three years ago but that is now in regrowth. There are a number of well defined trails crossing the property. The property does not have frontage on a public roadway and access to highway 3 St. Margarets Bay Road is obtained via a right of way easement. She said they have a license agreement to cross a railway right of way which they have obtained from CN. The railway is no longer in use. There is a driveway that comes in over the right of way and extends right to the rear of the property.

She said the Faders home is located on the property to the Southern portion and they are currently working on improving the home and doing some landscaping etc. The property is designated mixed rural residential under the planning strategy that is in effect in district 1 and 3 and this designation supports a broad range of land use activities which are traditionally associated with this coastal area. Mixed use such as residential commercial, community facilities as well as small scale resources are all permitted in this designation. The designation also recognizes the attractiveness of this area for campground development. She said tourist cabins are defined under campground. The plan does not permit them by right but rather allows them to be considered by development agreement so that any potential for nuisance to adjacent landowners can be minimized. The development of a campground is subject to specific criteria contained in policy 40 which is outlined in point form in the staff report.

She said by virtue of the scale of the development and the nature of the development proposed staff feels that it is very well suited to this site. Twelve cabins over a thirty two acre site is a very low density development and this will allow much of the property to be left in its natural state which is the applicants intention. The cabins would be located a considerable distance from highway 3 where much of the other development in the area is currently located thereby minimizing potential for adversely affecting their neighbours. Traffic generated from a development of this scale would be small in terms of its impact on highway 3. The Department of Transportation has advised that he existing access would comply with their requirements for sight distance, etc. They have expressed no concerns.

She said CN did express some reservations primarily because at this time they are only able to offer the Faders what they call a roadway license to cross the railway right of way and this license can be cancelled upon sixty days notice by either party. She said they questioned whether this would be satisfactory for

commercial development. There is strong evidence that the cancellation of the license is unlikely as this line is no longer in use. Tenders are currently being sought for the removal of the lines and the ties. This line is in its final abandonment process. Once this has occurred, the Faders are in a position to secure a more permanent right of way across that line. Given this information and the fact that the Faders are aware of this fact and are prepared to accept it, there is no apparent reason why the municipality should not be prepared to authorize this proposal.

The applicant is committed to develop the cabins as shown on the site plan. Access to the facilities would be restricted to existing right of way. One parking space would be required for each cabin and that would have to be located adjacent to the cabin. One, non illuminated, sign would be permitted at the driveway entrance to the development. General maintenance of the facility is found in part five of the agreement and it states specifically that the operator would have to reside on the property. The operator would be prohibited from selling alcoholic beverages to patrons. The operator would be responsible for the removal of litter and the storage of waste and no garbage would be allowed to be burned or disposed of on the property. Maintenance of the cabins would also be subject to the provinces hotel regulations act and these regulations are quite extensive and they will require them to have a license which will have to be renewed every year.

The development would be serviced by an on site sewage disposal system(s) and an engineer from the department of environment has looked at the proposal and has actually been out and inspected the site and feels that this development poses no evident difficulty for on site servicing. There were no particular environmental concerns identified and as such there are no specific terms in the agreement other than that the development must comply with all municipal, provincial and federal regulations and by-laws.

The agreement establishes minimum setbacks, maximum floor area restrictions and height limitations of the structures and requires that all cabins be founded on posts or pylons. The size and footing requirements imposed are intended to ensure that the cabins would not be converted to permanent residences. Provisions are made in the agreement for expansion of the existing home as well for new agricultural building and for accessory buildings which would be subject to the requirements of the land use by-law. Any amendment to allow for additional cabins, beyond the twelve, would have to be made by resolution of council. They would have to come back with a revised proposal. The agreement allows for subdivision of the property in accordance with the requirement of the municipalities subdivision by-law. She said it says quite specifically that all

the cabins have to be on one lot to prevent any ability to subdivide and to sell a cabin off. The creation of additional lots will not be possible, at this time, as road frontage cannot be obtained.

The agreement specifically requires that provincial approval for the design of the on site sewage disposal system be subject to the provincial government regulations and the construction of a tourist cabin subject to the hotels regulations act. These things will have to be complied with prior to a municipal development being issued. She said policy P81, a summary evaluation, is attached to the staff report. This evaluation indicates that municipal controls imposed by the agreement in conjunction with provincial regulations should adequately address any of those issues. She said they have no major concerns there. She said overall staff feels the proposal is consistent with the intent of the municipal planning strategy to allow for tourist related developments which can take advantage of the amenities of this area. This proposal is relatively small in scale planned over a large parcel of land which is isolated from neighbouring development. She said staff feels the contents of the agreement will adequately control and address issues expressed in the planning strategy and therefore recommend approval of this application.

QUESTIONS FROM COUNCIL

Councillor Meade asked about lot #1 being deleted.

Ms. Corser said in the development agreement there is a Schedule A which contains the legal descriptions of the property and lot #1 and #2 have been included. She said lot #2 is the property in question and lot #1 should not have been included. This was an error. She said it does not change the intent of the agreement. On page 1 of the agreement is specifically says "illustrated as the remaining land of lot #2 on the plan of subdivision". She said there is no reference to lot #1 in this agreement. She said it was just a clerical error and it is her understanding that that can be removed tonight.

Councillor Meade asked if any letters had been received opposing this application.

Ms. Corser said she had not received any letters in opposition but had received one letter which identified a few concerns from Mr. Gillen.

Councillor Sutherland referenced page 8 of the staff report. He said the Department of Transportation has authorized access across the right of way over the property and the applicant has also obtained permission from David Moore the private property owner. He asked if that formed part of any deed or ownership document of the applicant.

Ms. Corser said they have a legal right of way over those properties. If is part of their deed. They have a right to cross both properties.

SPEAKERS IN FAVOUR

Ms. Nancy Butler, 12 Allan Road, St. Margarets Bay, spoke in favour of the application. She said most people are in favour of the project. She presented a letter, with seventeen signatures, in favour. Six letters from businesses in the neighbourhood that feel that they will get spin off through referrals to restaurants etc. The business community is pleased with this. Some of the things they wanted to point out is that they are creating year round employment. She said it is recreational. She said there was a proposed landfill site in that area a while ago and if more tourist industries developed in that area then it would be much harder for the people to end up with a landfill. Bowater Mersey lands, which is the land behind these lands, have been recreational for many years. She said this project is going to protect the environment. She said there is a shortage of cottages in the area and there are no winter cottages for cross country skiing. She said the patrons will be spending their money year round. She said it will create spinoffs as well as the possibility of attracting people to the area. She said Mr. Fader has good knowledge of the area and good respect for the people. It won't propose a hazard to anyone and it should not increase traffic. She said if he can create employment for himself and his four children that is better than having them all on welfare at some point in time when the base closes down. She said it is traditionally a fishing community but people can't fish anymore. She said Mr. Fader has a deeded right of way through one other direction so access is not a problem. She said CN will probably offer him a 99 year lease on the railway crossing. She read the names of the residents who had written letters in support of the application.

Mr. David Moore spoke in favour of the application. He said the right of way runs through the original deeds. He said he has known Mr. Fader since he came to live on his property and has always found him helpful and courteous and has kept him up to date on every phase in terms of the use of the property. He said he sees no objection to Mr. Faders idea and will be of benefit to the community.

Mr. David Lantz, Christies Road, Boutiliers Point. He said he has know Mr. Fader for a number of years. He said he believes that this is definitely a good thing for the community.

Stan Gunther owner of the Seabreeze Inn spoke in favour of the application. He said from his knowledge of the tourist business there is definitely a need for more accommodations. He said there is a great need for recreational facilities that are

planned. He feels Mr. Fader is a responsible person and very capable of dealing with this project. He said it would benefit the community and feels there is a continual growing need for this type of facility.

Gary Morris, Queensland, spoke in favour of the application. He said he would like to reaffirm his support for what was expressed by the previous speakers. He said he is in favour of the whole recreational facility that is proposed.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

It was moved by Councillor Meade, seconded by Councillor Boutilier:

'THAT APPLICATION DA-1&3-01-94-01 - DEVELOPMENT AGREEMENT, WITH THE DELETION OF LOT 1, TO ALLOW FOR TOURIST CABINS AND ASSOCIATED RECREATIONAL ACTIVITIES ON THE LAND OF LAMONT AND KATHLEEN FADER IN INGRAMPORT BE APPROVED"

Councillor Boutilier referenced Lot 1.

Ms. Corser said lot 2 is the lot the development agreement will apply to but lot 1 was inadvertently attached to the schedule as well. She said lot 1 is a parcel of land that according to land registration is an unresolved parcel. She said there are several people with claims on it but is not part of this development agreement.

Councillor Giffin said he knows most of the people involved and who spoke in favour of this and knows the area very well and he feels it is a credit to Mr. Fader that when the people who are going to be in business opposition to him comes down and speaks in favour of the application.

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Barnet, seconded by Councillor Hendsbee:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS  
OF THE  
THIRD YEAR MEETINGS  
OF THE  
FORTY-FOURTH COUNCIL  
OF  
HALIFAX COUNTY MUNICIPALITY  
JUNE COUNCIL SESSION  
TUESDAY, JUNE 21, 1994  
&  
PUBLIC HEARINGS  
JUNE 13, 1994

INDEX

JUNE COUNCIL SESSION, 1994

A.		
B.	Beaver Bank Phase 1 & 2 Water & Sewer . . . . .	15
	Borrowing Resolutions . . . . .	17
C.		
D.	DASC Industries . . . . .	3
	Bog By-law . . . . .	14
	Debenture Issue . . . . .	20
E.		
F.		
G.	Grants . . . . .	17-18
H.	Heritage Properties Public Hearing Dates . . . . .	7
	Hammonds Plains Road Watermain Upsizing . . . . .	15-16
I.		
J.		
K.		
L.	Letters & Correspondence . . . . .	3-7
	Lesser Setback . . . . .	7
	Lagooning Operations . . . . .	16
M.	Motion - Appointment of Recording Secretary . . . . .	1
	Motion - Approval of Minutes . . . . .	1-2
	Motion - Letters & Correspondence . . . . .	3-7
	Motion - DASC Industries . . . . .	3
	Motion - School Board Funding . . . . .	5-6
	Motion - Senior Citizens Week . . . . .	6
	Motion - Smoke Alarm By-law . . . . .	7
	Motion - Soccer Field, Cole Harbour . . . . .	7
	Motion - Lesser Setback . . . . .	7
	Motion - Heritage Properties Public Hearing Dates . . . . .	7
	Motion - Millwood PUD Agreement . . . . .	8-12 & 23
	Motion - Minor Variance Appeal . . . . .	12
	Motion - Subdivision Fees . . . . .	14
	Motion - Dog By-law . . . . .	14
	Motion - Water Utility Budget . . . . .	14-15
	Motion - Parkland Exchange . . . . .	15
	Motion - Lane Lease, Prospect Bay . . . . .	15
	Motion - Beaver Bank Phase, Water and Sewer . . . . .	15
	Motion - Water Extension Beaver Bank Road . . . . .	15

Motion -	Hammonds Plains Road Watermain Upsizing . . . . .	15-16
Motion -	Lagooning Operations . . . . .	16
Motion -	Sidewalk Construction . . . . .	17
Motion -	Borrowing Resolutions . . . . .	17
Motion -	Grants . . . . .	17-18
Motion -	Vehicle Reserve Fund . . . . .	18
Motion -	Municipal Fire Inspections . . . . .	18
Motion -	Mutual Aid Agreement, Shearwater . . . . .	18
Motion -	Waverley Village Commission . . . . .	18
Motion -	Municipal Planning Advisory Committee . . . . .	18-19
Motion -	Tax Rate/Area Rates . . . . .	19
Motion -	Child Abuse Prevention Month . . . . .	19
Motion -	Summer Schedule . . . . .	19-20
Motion -	Special Reserve Fund . . . . .	20
Motion -	Debenture Issue . . . . .	20
Motion -	Seabright Volunteer Fire Dept. Truck . . . . .	20
Motion -	Intersection Highway #3 & 333 . . . . .	20-21
Motion -	Rent Review Board . . . . .	21
Motion -	Sackville MPS and Lane Use By-law . . . . .	21-23
Motion -	Sackville Landfill Site . . . . .	23-29
Motion -	Rehab Centre Appointment . . . . .	30
Motion -	Adjournment . . . . .	30

N.

O.

P.	Parkland Exchange . . . . .	15
----	-----------------------------	----

Q.

R.	Rent Review Board . . . . .	21
	Rehab Centre Appointment . . . . .	30

S.	School Board Funding . . . . .	5-6
	Smoke Alarm By-law . . . . .	7
	Soccer Field, Cole Harbour . . . . .	7
	Subdivision Fees . . . . .	14
	Sidewalk Construction . . . . .	17
	Special Reserve Fund . . . . .	20
	Seabright Volunteer Fire Dept. Truck . . . . .	20
	Sackville MPS and Land Use By-law . . . . .	21-23
	Sackville Landfill Site . . . . .	23-29

T.	Tax Rate/Area Rates . . . . .	19
----	-------------------------------	----

U.

V.	Vehicle Reserve Fund . . . . .	18
----	--------------------------------	----

W.	Water Utility Budget . . . . .	14-15
	Water Extension Beaver Bank Road . . . . .	15
	Waverley Water Commission . . . . .	18

PUBLIC HEARING

June 13, 1994

PRESENT WERE: Mayor Ball  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Mitchell  
Councillor Deveaux  
Deputy Mayor Bates  
Councillor Hendsbee  
Councillor Bayers  
Councillor Smiley  
Councillor Peters  
Councillor Merrigan  
Councillor Brill  
Councillor Snow  
Councillor Barnet  
Councillor Harvey  
Councillor Sutherland  
Councillor Cooper

ALSO PRESENT: K.R. Meech, Chief Administrative Officer  
Fred Crooks, Municipal Solicitor  
Bill Butler, Director of Planning and Development  
Julia Horncastle, Recording Secretary

=====  
The meeting was called to order 6:00 p.m. Mrs. Horncastle,  
Recording Secretary, took attendance.

Mayor Ball outlined the procedure followed for a public hearing.

SB-03-94 - APPLICATION BY HALIFAX COUNTY MUNICIPALITY TO AMEND  
THE SUBDIVISION BY-LAW SO AS TO REQUIRE A FEE FOR EACH ENDORSED  
LOT.

Mr. Bill Butler made the staff presentation. He said the amendment before council this evening would establish a fee for the endorsement of lots within the subdivision approval process and, in principal, this is somewhat similar to the building permit that the county charges for now to cover some of the costs relative to inspection. He said the fee that is proposed would be a partial user fee. It would not go to the entire costs of that administrative function. The idea of a subdivision fee was presented during this years budget session and has been included as a revenue item within the planning departments budget for the 1994/95 year. He said two years ago a similar proposal was also considered by council at that time and was not approved.

The fee being proposed, \$50.00 per endorsed lot, would be applied

at the end of the subdivision process and not at the beginning. All approvals would be guaranteed. A developer would know he is not going to be charged a fee for something that possibly may not receive final approval. When lots are endorsed that is the final step to making them legally transferable.

He said it is the belief of staff that the subdivision process is a specialized one where it is not unreasonable to charge the direct user a proportion of the related costs rather than leaving those costs entirely to the general taxpayer.

Councillor Sutherland said the county has always been criticized for doing something that restricts or interferes with development. He asked if there were any comparative numbers with the Cities as it relates to what is being proposed here.

Mr. Butler said he does not have any current figures. He said he has figures based on 1989. The City of Halifax and the Town of Bedford were charging a fee based on an acreage basis which was \$25.00 per acre or part thereof. In the Town of Bedford it was \$60.00 or part thereof. He said he does not know to what degree they may or may not have changed in the interim. He said the City of Dartmouth, at that time, was not charging a fee and he is not aware that they are currently.

Councillor Hendsbee asked how much departmental time is taken up in regards to this whole process such as its budgetary amount and time amount.

Mr. Butler said within the branch offices it would be a minimum of one third of the time would be spent on subdivision processing and approval. He said the other two thirds which would be building inspection as well as land use by-law administration and by-law enforcement.

Councillor Hendsbee asked if the majority of time would be for the development of new properties.

Mr. Butler said when he gave the estimate he did not include the individuals within the subdivision process because they are not directly involved. Within the office there is a development officer and a manger and two or three technicians, depending on which office you are in, who would spend a considerable amount of their time directly related to subdivision approval.

Councillor Hendsbee asked what the overall departmental cost would be.

Mr. Butler said a rough estimate would be about 1.5 million dollars is the total operating cost for the three branch offices.

Councillor Hendsbee asked if realigning the responsibilities

going to speed up the process and cut down on the application time.

Mr. Butler said this was in the engineering department and hopefully this will speed up and make it more efficient.

Councillor Bayers asked if this was a form of taxation.

Mr. Butler said a user fee could be perceived as a form of taxation.

Councillor Bayers said he spoke against this the last time it was before council and he had a number of calls from developers in district 10. He said deed transfer tax was increased. He said the municipality is also looking at another fifty dollar increase for lot approval which he can't agree with. He said the last time it was here council was looking at the assessment act. He said at that time council was told that the municipality could not get the act changed because the assessment act had to be changed in order for the municipality to change. He said council was told that there might be a way to improve on the process. He said from his understanding, from talking to developers, that never changed where instead of approving one hundred lots all at once the developer could get two lots approved and when they were sold he could come in on a days' notice and get two more approved. That never proved out and he cannot see adding another fifty dollars for approval of lots would make the services any better.

Deputy Mayor Bates asked if the proposed fifty dollar charge cover the one third time.

Mr. Butler said it would not. It is estimated based on last years activity that this fee would generate in the order of sixty thousand dollars per year which is not inconsequential. He said he does not believe it would fully cover the administrative costs related to the subdivision process by any means.

Deputy Mayor Bates said it is not being proposed that any applications that are currently before the municipality wouldn't be subject to this charge. It would have to be new applications coming forward after this process is complete if it is approved.

Mr. Butler said he does not feel it would be unreasonable for the municipality to make a decision that anybody who started the process without a fee should be permitted to complete.

Councillor Merrigan said if people are going to pay a fee they should have improved service. He asked if this had been looked at and is Mr. Butler contemplating any improvements in service.

Mr. Butler said the municipality would always seek to improve the

level of service. He said he is not aware of any specific criticisms or areas where it fundamentally falls down. He said this fee is not necessarily premised on being able to improve the level of service. He said that is always an ongoing objective but he does not want to suggest that this be tied to that. He said this is quite simply a proposed fee that would recapture some of those administrative costs that are being incurred to do the function.

Councillor Merrigan said is Mr. Butler saying that if the services are not improved down the road the municipality won't be coming back asking for an increase in fees.

Mr. Butler said he won't say that somebody won't be here for an increase. He said he feels council will have to look at each time it is proposed. He said when the last building permit increase was looked at that was directly related to an increase in service.

Mayor Ball said this was not brought forward by Mr. Butler but was a suggestion within budget deliberations.

Councillor Merrigan said if the county is going to have a user fee he has to try to equate that fee to service. He said if the county is saying a fifty dollar fee per lot approval is reasonable for the service people are getting today but if it is to be increased in the future and not provide any increases in service he would have a problem with it. He said if the county is going to get into user fees he hopes that any increases in those fees be based on services provided.

Mr. Meech said the county has been looking at the development or the establishment of fees more from the perspective that the county is already absorbing these costs and with the view that maybe that costs should be apportioned on a more equitable basis as to whether the actual user of the service should be paying a larger percentage of those costs. He said there was some additional monies in the budget this year to expand engineering's capability to better respond to the servicing aspects of the subdivision approval process. He said he appreciates that fact that the whole business of improved services is in the eye of the beholder because of the fact that for the regular routine kinds of subdivision applications, that don't have a lot of complications with them or a need for a lot of other inputs, the process probably works quite fast. He said when the municipality reaches the stage where the developer or their representatives feel there should be able to accomplish their objectives one way and the municipality staff feel that doesn't meet standards that is what ends up creating a lot of the confrontation.

Councillor Mitchell thanked Mr. Butler for the service provided by his division. He said he has received letters and phone calls

about this increase. He said the people do not support it and he does not support it. He said he feels council should vote this issue down.

Councillor Deveaux said it is his understanding from the comments made by Mr. Meech that at the present time this cost is being absorbed at a deficit. He asked if the taxpayer is absorbing this cost.

Mr. Meech confirmed this.

Councillor Deveaux said this would in effect relieve some of the burden of the taxpayer.

Mr. Meech said that is the way it was worked through the budget. He said he would like to point out that in the budget now it would generate approximately six hundred thousand dollars in revenue for building permit fees. He said he would not like to leave the council with the belief that there aren't already certain fees in place to offset some of those costs. He said any increase in the fees will essentially reduce the amount that the general property taxpayer has to pay.

SPEAKERS IN FAVOUR OF THE AMENDMENT

No speakers in favour.

SPEAKERS IN OPPOSITION

Bob Daniels spoke in opposition to the application. He said he is the executive director for the Association of Nova Scotia Land Surveyors and he has been asked by several members to present their views with this proposed subdivision by-law amendment. He said the association is not supportive of the proposed amendment specifically with respect to the requirement or fee of fifty dollars for each lot for which endorsement is being sought. The impact of increased either from the private sector or government will have negative impact on development. The additional fees must be justified and result in improved service for the end user. It is the opinion of the association that the proposed new fees will not result in improved service or a more streamlined process for the development of land. The proposed fee for each lot for which endorsement of final approval is sought will have a direct impact on the cost of developing land in the municipality. In this time of restraint and efforts to keep costs as low as possible there is no justification for such an increase. In large subdivisions costs become significant. For example a one hundred lot subdivision will require a fee of five thousand dollars to be paid by the developer before a single lot is ready for sale. These additional costs will be passed on to the purchaser as the developer can no longer absorb additional financial commitments due to their already small profit margin.

Will there be an improvement in the development process to help justify these additional fee? The development process is already too time consuming and cumbersome causing delays to projects which, when approved, result in more tax revenue for the municipality. Perhaps consideration should be given to eliminating much of the approval process now carried out by the municipality by making the professionals involved responsible for their services. The Nova Scotia land surveyor who certifies the subdivision plan is in compliance with the Land Surveyors Act and Regulations could and may wish to certify that the plan also conforms to the zoning by-laws, land use by-laws, development agreement and planning act.

Engineers and architects be professionally responsible for their services. This would allow the approval process to be a rubber stamp process and the public would still be protected by the professionals liability insurance. At the present time the municipality collects a variety of taxes on land development such as five percent of the assessed value for each new lot. The present building permit fees plus the additional tax revenue from each new lot as it is created. He said the municipality should wish to ensure there is an environment of cooperation and dedication to assist those to undertake development projects. It is not in the best interest of anyone to have a process that is so complex and expensive that development is stifled. The Association of Nova Scotia Land Surveyors would therefore ask the members of council not to approve the proposed subdivision by-law amendment.

QUESTIONS FROM COUNCIL

Councillor Hendsbee asked what parts of the subdivision process did the speaker find redundant.

He said he could not answer this at this time.

Councillor Hendsbee said reference had been made to having surveyors give confirmation with regards to zoning and land use, etc.

Mayor Ball said he did not want to get into a debate with regards to professionals rubber stamping the process of development. He said what is being dealt with is this one particular item.

Councillor Hendsbee said if the speaker feels this fee is not necessary or appropriate what services are not appropriate because the county is providing the service and he does not see it as a new service but a continuation of service.

The speaker said it could be argued that much of what the department does is not necessary in that when a development goes in a developer approaches the county with a development agreement

and there are certain conditions and requirements that result from that development agreement. He said county staff confirms that these conditions are being met. He said, from his point of view, there are no reasons why the surveyors, engineers, and design people cannot be part of that process and they would certify and be professionally responsible to ensure that the requirements of the development agreement are met. He said the same could be said with zoning conditions or land use by-law conditions. If the professionals are part of the process on the front end there is no reason that they cannot be responsible for ensuring that the development meets all the requirements upon finalization. The public and the developer pay for the professional now.

Councillor Hendsbee said the question may be asked how the county can ensure the purchaser that the interests to those professionals may not become subjective because of who is paying the bill.

The speaker said there is a professional reputation at stake. He said the professionalism should be used in these particular instances to help streamline the process and, if possible, keep the cost down. He said surveyors ensure that plans are mathematically correct, that the boundaries are proper, that the title is proper, that the area is proper, that the lot meets certain width requirements depending on zoning and configuration of lots required. He said they do that as part of their process now. He said if staff people are going through and redoing that process, it is a duplication which is not necessary.

Councillor Cooper asked Mr. Daniels if there would be additional costs for the services as outlined in his presentation for example the land surveyor etc. just providing those services that are outlined such as confirming the zoning by-laws, land use by-laws, development agreements, etc. He asked if the professional would charge extra for those services to the buyer.

Mr. Daniels said he would expect there would be an additional charge.

Councillor Cooper said he would say it balances out whether the costs comes from the municipality or the professional, the end user still has to pay. He asked if the professional is subject to law suit, by the municipality, if those services were provided by the professional.

Mr. Daniels said yes. He said every member of their association that practices land surveying for the public has to have professional liability insurance.

Councillor Cooper asked if Mr. Daniels had any idea what these extra charges might be.

Mr. Daniels said he does not have any idea as he has not done a study on it but he would expect that they would not be significant because a lot of the things that county staff does their members already do as part of the process.

Councillor Cooper said it has been brought out that this is supposed to be a cost saving process and he is suggesting that possibly in the extra fees charged by the professionals the end user would not be any better off than he would be under the municipality side.

Councillor Merrigan asked when a developer puts in an application and the work they get from the county is fifty dollars a lot does Mr. Daniels feel that the service is over priced.

Mr. Daniels said he feels it is over priced.

Councillor Merrigan asked Mr. Daniels if he was saying they would do the same for the developer for less than fifty dollars per lot.

Mr. Daniels said he would say yes. He said they will supply a complete subdivision field work for in the vicinity of three hundred dollars per lot.

Mayor Ball asked on whos specs do they do up the subdivision, the best interest of the municipality or the best interest of the client.

Mr. Daniels said he would protect his own interest.

Mayor Ball asked him if he would also be protecting the interest of his client.

Mr. Daniels said not if it puts him at risk.

Mayor Ball said some things are debatable and could go either way.

Mr. Daniels said the same situation may be in here with councillors representing their interest as opposed to the interests of the whole.

Mayor Ball said that is possible but most councillors look at the interest of the whole municipality.

Mr. Daniels said he would hope professionals surveyors would approach this the same way.

Councillor Brill asked Mr. Daniels if he knew of any other municipality that accepts the approval process that he is putting forward tonight.

Mr. Daniels said there are none in Nova Scotia. He said there is movement in several western provinces and they are exploring this possibility.

Councillor Sutherland said the rates that the professionals surveyors are charging today could include a lot of additional charges at no extra cost.

Mr. Daniels said a lot of work that is done by surveyors is repeated during the approval process.

Councillor Hendsbee said in regards to development elsewhere in the metro area are there fees paid in the Town of Bedford, Halifax and Dartmouth.

Mr. Daniels said the Dartmouth pay none, Halifax has a fee of twenty five dollars per acre or portion thereof and the Town of Bedford has a fee of sixty dollars per acre or a portion thereof which they classify as a plan checking fee.

Councillor Hendsbee asked Mr. Crooks asked if there would be any liabilities if the county was to change the process. He said he sees this fee as a part of the process and he cannot see how you can distinguish the type of service that is being charged. He said he sees this as a cost recovery. He said if there was to be a change of process and a person has a problem after purchasing a piece of property what legal obligations or ramifications would the county have for any lawsuits.

Mr. Crooks said to give a proper response and opinion on potential increase in liability or the liability position you would have to be looking at a specific proposal. He said the position that would be taken by the professionals who are suggesting or requesting increase reliance on professional certifications is that the municipality has then their professional insurers to turn to if and when the municipality is sued by reason of some failure on their part. In terms of whether or not it would represent an increase in the existing liability that the municipality would have would very much depend on precisely what the arrangement is, what degree of responsibilities are taken by others. He said there are, under current legislation, limits on the extent to which the municipality can delegate the responsibility that it has and its development officers have to review and make a judgement respecting the approval of these plans so there would be a requirement for some legislative regulatory changes as well.

Councillor Hendsbee asked how the developers be assured that there is a uniformity in building in regards to uniformity of adherence to the by-laws etc. with regards to county planning and how do we know that the developers aren't going to get tagged with a higher fee.

Mr. Daniels said the increase may not be that significant and without doing as study as to how this whole thing would play out he cannot say how cost efficient it would be.

Councillor Deveaux said council hears concerns expressed by the taxpayers to keep the tax rate down. He said these extra costs are presently being borne by the general taxpayer.

Mr. Daniels said from his view if you take a piece of property and subdivide it and you charge the developer five percent of the cost of each new lot and when a building goes on you charge a building permit fee and then as the land is subdivided the new smaller lots create an overall tax increase. He said the dollars generated from these three taxes far outweighs the cost of the municipality doing any kind of inspection and subdivision examination.

Mayor Ball said the five percent assessment that Mr. Daniels is talking about is a parkland dedication that the developer has a choice between paying five percent in cash and/or the land. He said the five percent is for parkland that ultimately is used somewhere in the area in terms of recreational space. He said if the land is suitable and agreeable to both parties in terms of dedication then the land will be taken but if the land is not suitable to both parties then it is very often in cash.

Mr. Daniels said the point is that there is a very significant contribution by the developer either in land or in cash over the life of the project which more than offsets the costs of the approval process.

Councillor Hendsbee asked what about the costs to the county down the road.

Mr. Daniels said the increased assessment and property tax offsets the costs. He said then at that time each individual owner becomes responsible for paying his fair share of the services that he is receiving. He said this would also improve services for the end user.

Mr. Phillip Read, President, Urban Development Institute of Nova Scotia. The institute membership represents all major real estate developers and development consultants within the Halifax metro area. It is the position of the UDI that the proposed user fee for new endorsed lots should not be implemented. He said they are well aware that the municipality is facing the difficulty of financing its operation expenditure and must exercise both restraint and ingenuity to ensure that expenses and revenues are kept in reasonable balance. He said to tag a new development, however, with a new tax or fee is not appropriate for several reasons. To impose a tax on new development discriminates against the home buyer who will ultimately pay the

tax. As well it discriminates between location as established lots will not incur the fee. The concept proposed, the user pay approach, is incorrect. The services the municipality provide for the approval of lots form part of the mechanism to promote new development within the municipality so as to increase the number of residents thereby increase the property tax base. It is this tax base that determines the operation of the municipality on an ongoing basis. To impose further costs on new development must mean that the municipality does not welcome nor encourage new development. Further as a user fee the user must receive a benefit not available to others. New land developments do not currently receive any special benefits from staff. The issue of this proposed fee focuses on the attempt by the municipality to increase its revenue base and no mention is being made of expenditure reductions or operational efficiency improvements.

He said the independent report of the engineering component of the approval process, completed last year, identified many issues of inefficiencies and work procedures that are capable of direct cost savings to the municipality without increasing the revenue base. The proposed fee would form part of the cost to the developer and would also add to the already high carrying costs that are currently being experienced. Developers are already required to pay increased property taxes on approved lots prior to any construction even though no municipal services are utilized. The appropriate time to collect such fee is at the time of application and the issuance of the building permit. While the 1994/95 budget has already been approved by council and includes the revenue of approximately \$66,000 from this fee because of the points he has outlined the proposed fee should not be introduced. If costs cannot be reduced the necessary revenue is to be obtained from the building permit.

Deputy Mayor Bates said that Mr. Read had said it will increase the costs to the developer and to the homeowner. He asked if Mr. Read saw the developer automatically passing it all along to the new home owner or would they absorb some of the cost themselves.

Mr. Read said probably the land developer will pass the fees on and will result in an increase in land prices and that cost to the developer is a reduction of sales further removing the affordability factor from the marketplace. His cost is an inability to compete for the lots he is selling.

Deputy Mayor Bates asked if Mr. Read was saying that an additional \$50.00 on the average price of a house was going to prevent development. He said essentially what Mr. Read is saying is that he wants the taxpayers to pay.

Mr. Read said the taxpayer is the end user of that service.

Councillor Hendsbee said Mr. Read made reference to rationalization of departmental services and he asked if there was an examination done of subdivision approvals.

Mr. Meech said in the case of the examination that was done as it relates to the engineering department report which Mr. Read referred to there were certain organizations consulted.

Councillor Hendsbee said he would suggest that all the persons who made representation about the duplication of process should consult with the county as to how the county could reduce the so called administrative burden and therefore eliminate some of the costs to the taxpayer. He asked Mr. Read how much of a percentage increase would it be to the developer with this additional fifty dollars per lot.

Mr. Read said the cost would be negligible.

Councillor Hendsbee asked approximately what percentage would this represent.

Mr. Read said it would depend on the lot and the location and the cost of acquisition.

Councillor Hendsbee asked how many lots would there be per acre of serviced versus unserviced land.

Mr. Read said it would depend on location, soil conditions, application basis.

Mr. Meech said in serviced areas where you are talking about six thousand square feet or a little more you are talking about probably three and a half lots per acre.

Mr. Read said it was raised by this council through the latter part of last year through the review of the subdivision approval process with the engineering department a number of recommendations were made. Those recommendations were designed to tag deficiencies. Those recommendations, as far as they are aware, are to be put in place. He said as an institute they have not seen any benefit from those recommendations. He said one of the points made by Councillor Merrigan on the use of professional consultants and that there hasn't been any experience encountered of this occurring is not completely correct. In BC they have created courses for professional engineers. He said this has been a very successful project. He said primarily as long as it was know what the county wants land developers can produce that product. At this point there is no clear document to identify what the municipality wants and that was the biggest inefficiency that causes most of the confrontations.

Councillor Merrigan said he does not feel the county would want

to cut back on the service it is now providing but the county has to pay for the service it is providing. He said maybe one of the things that could be looked at is that the fee be put on at the building permit stage. He asked if Mr. Read was saying this would be a more acceptable way of dealing with it.

Mr. Read municipal staff are put at a disadvantage by not having clear guidelines and while the staff is very responsive, it is disadvantaging both parties. The primary purpose of the staff in both planning and engineering is to promote land development or to make sure that land development occurs in the best interest of the municipality. If land development didn't occur then it may go to say that planning and engineering, short of the building inspection process, are probably not needed functions either. If development didn't occur then probably most of these positions would not need to be in business.

Councillor Merrigan said he can appreciate that Mr. Read is saying that the county should be looking at departments and ways of cutting back services to keep the tax rate in line. He said that is not going to solve the problem the county has today because even with looking at the services and trying to bring in more efficiencies it is going to take time. He said the services are either going to have to be cut back or find revenue sources which are not going to be from the general tax rate.

Mr. Read said he agrees there are services provided but the land provider should not be the collector for the municipality of a tax base.

Councillor Merrigan asked Mr. Read if he would rather see the services decreased or increased.

Mr. Read said he is not saying not to collect the funds but they should be collected at the appropriate point.

Mr. Fred Hutchinson said the question before council is whether or not the municipality is going to charge fifty dollars per lot that are approved in the county of Halifax. At the present time the approval stamp on the plan will not guarantee that you will even get a building permit. The revenue that is generated, either by real estate or by five percent fee, is in excess of one million dollars per year on the newly approved lots. Over and above that the developer has seven percent GST on the sale price of the lot. New taxes on the newly created lots are over three quarters of a million dollars in revenue. Building permit fees. New assessments on newly developed properties. There is also a seventy one dollar fee charged by the county to assist and deposit the plan in the Registry of Deeds office. He said he would suggest that there is a cost per plan whether or not it has five lots or one lot. There are sixteen plans submitted for every approval. They are sent to the department of municipal

affairs, department of transportation, department of health, etc. There is a lot of work being done by various agencies which, in some situations, are duplicated. The department of health and the county engineering department and the department of transportation have overlaps. He said the review process of the county is not on the same calibre of the other municipalities.

Daryl Dickson, Armoyan Group, said they are objecting to the fees. He said they would probably service approximately three hundred lots in Halifax County this year which would approximate in fifteen thousand dollars in cost. He said they try to get six lots per acre with a minimum of five lots. He said when R2 lots in the county today through straight zoning they have to be re subdivided when they are constructed. He asked if that person would then again have to pay another fifty dollars at the time of resubdivision.

Mr. Butler said according to the way the amendment is put yes.

Mr. Dickson said this means that every single R2 lot homebuilder will have to make subdivision application and pay this fee as well. He said this would mean paying one hundred dollars at the original lot and another fifty dollars.

Mr. Butler said the way it is put is if you subdivide it first at six thousand and then went down to three's you would pay fifty at the six and then for each lot thereafter.

Mr. Ken Robb said he wanted to look at the taxes for one thirty thousand dollar lot in Halifax County including this fifty dollar fee. He said you have the fifty dollar fee for one proposed lot, fifteen hundred dollars recreational fee. Seventy one dollars are paid for registration fees which goes to the provincial coffers for their costs. There is a 1.5% deed transfer tax for a total of four hundred and fifty dollars. There is 7% GST which comes to twenty one hundred dollars so on a thirty thousand dollar lot it costs four thousand one hundred and seventy one dollars in taxes. Out of these revenues the county gets two thousand dollars per lot. He said he would like to know why this is not more than adequate funds to enrich the coffers of the county and why another fifty dollars is needed on top of it per lot. He said the federal share is twenty one hundred dollars and the provincial share is the seventy one dollars. He said the biggest complaint he gets in his office is from clients with regards to these fees. He said the recreational fees is sometimes a straight fifteen hundred dollar payout. If you have twenty lots it is thirty thousand dollars. He said he feels the county should take a look at this because the minute you start building a house you have to pay taxes for your permits in addition to the figures given. He said you pay taxes on the building materials, etc. He said he feels the county should back off of this one because it is very unpopular and this is not the

time to effect a raise in taxes.

He said land surveyors in general have to know what the rules are, what the regulations are, what the zoning by-laws are if he is going to subdivide for R2. He said he does not see why it would be too difficult for a land surveyor, at very minimum fee, to charge a service for certifying that that plan, that he has certified as accurate, complies with the provisions of the planning act and the subdivision by-laws of Halifax county. He said this would eliminate the need for as many staff. He said he feels privatization is the way to go.

Deputy Mayor Bates said as a land surveyor if you add fifty dollars on per lot presumably it would increase the cost which would mean the land surveyor would be doing land surveying. He said if this was a major impact your business would be adversely affected. He asked if this was essentially why he would prefer that this fifty dollar charge not go on.

Mr. Robb said they feel the fifty dollars is adding insult to injury, there are too many costs in there now. He said with regards to the surveyor certifying the plans, it would not cost fifty dollars a lot for the surveyor to sign. He said he himself would not charge any fee but make sure it is in compliance with the regulations and would certify the plan as part of his work. He said there would not be a need for a planner to look over this plan.

Deputy Mayor Bates asked where the fifteen hundred dollars for recreation had come from.

Mr. Robb said that is five percent of the assessed value of the lot. He said if lots are established it is five percent.

Deputy Mayor Bates said there still would be some minimum fee.

Mr. Robb said he does not see it. He said he has looked the regulations over and has had on occasion had to consult with the planners on grey areas.

Councillor Sutherland asked, including travel time, what is the average cost per lot of approximately six thousand square feet.

Mr. Robb said if you are dealing with a rural lot it is twenty thousand square feet or fifty thousand square feet. The general fee for that is around one thousand dollars to make a plan and jot out a lot in that type of an area. In town it would be cheaper per lot because the lots are smaller.

Councillor Sutherland asked if the surveying association has and forum such as this whereby the end users have an opportunity to discuss the costs of fees for surveying.

Mr. Robb said they can't set fees, it is prohibited. He said they are a self governing body and cannot dictate fees.

Councillor Sutherland asked how their fees are established.

Mr. Robb said on time basis. A certificate generally costs from \$225.00 to \$300.00. He said their association can't set fees, it is federally prohibited.

Councillor Rankin said with regards to recreation there may come a time when you see costs for developers to pay towards schools and roads. He said the developer is talking about the affordability of new units and with the fifty dollar fee being passed through the new owner that would affect their affordability. He said it is in the interests of the developer to represent just that sector, the new housing. It is in the interest of public representatives to protect the interest of existing home owners and so somebody has to pay. If the new home owner is not paying that fifty dollars then it is affecting the affordability index of existing home owners. There is an affordability index in that in terms of what is the level of municipal taxes. He said the cost will not go away but is a matter of who pays the bill. He asked if Mr. Robb would admit that the affordability index applies to the existing home owner as well as the new home owner.

Mr. Robb said he would say that once the initial home owner pays for those increased costs it just passes itself on in the resale value of the house for the next home owner.

Councillor Deveaux said he is not against developers but the county has to find some money to pay the bills. He said some changes may take place down the road to cut costs but that may also mean cutting back service.

Mr. Robb said the county is collecting two thousand dollars for a serviced lot that is created in the county. He said the recreation tax is collected on the lots and when the lot is split it is paid again.

Councillor Deveaux said that whatever the charges are the county is coming up short. He asked Mr. Robb if the average tax payer is going to be complaining about this if a user fee is put on.

Mr. Robb said the average tax payer who doesn't pay it is not going to say anything.

Mr. Hines Morstat spoke to council. He said he has fourteen lots of approximately one to two acres in size. He said the department of recreation is very fussy in what they want to take in land. He said why should developers give away prime land that can be sold for a profit to the department of recreation.

DECISION OF COUNCIL

Councillor Hendsbee said what it comes down to is that council has to determine what service is provided and who has to pay for it. He said he would like to see a streamline of administrative procedures if possible. He said he sees this as a cost recovery measure and an opportunity where the users, being the developers, who profit from their land pass it on to the home buyers. He said he does not see this as an exorbitant cost to them. He said maybe it is a fee that should be charged at the bottom end of the process and not the top end. He said he has a problem with a case where a piece of property has been divided a second time. He said he feels there should be a credit application process where the person who already paid the fifty dollars does not have to pay a double fee. He said he is in favour of this fifty dollars per lot fee as well as there is an opportunity where there can be a credit application for already paid fees on approved lots.

Mayor Ball asked Councillor Hendsbee if he was suggesting that if it is an R2 lot before it is subdivided the original subdivision would be paying fifty dollars and then when it was further divided and it was to be fifty dollars each side then somehow there would be a credit so that a maximum of one hundred dollars.

Mr. Crooks said he thinks it might be possible to incorporate an amendment of that sort at this stage. He said he would have concern with as to how it is drafted to ensure that the scope of the amendment and the exemption is appropriate. Councillor Hendsbee said he would to see an amendment to the wording to say "the applicant shall pay an administrative fee of fifty dollars" so that there would be a clarification on the type of fee that is being paid.

It was moved by Councillor Hendsbee, seconded by Deputy Mayor Bates:

"THAT APPENDIX A - A BY-LAW TO AMEND THE SUBDIVISION BY-LAW - BE APPROVED AS AMENDED BY COUNCILLOR HENSBEE"

Councillor Harvey said he feels what Councillor Hendsbee has suggested has merit in the changes. He said it is his understanding that the solicitor would not prefer to have the specific amendment tonight. He said perhaps this can be deferred.

Mayor Ball said at this point, with a number of different scenarios that could take place with the language, staff would not be in the position to really make any form of a recommendation in terms of the wording of a resolution that would satisfy the query of Councillor Hendsbee and the amendment that was made. He said there is the option of deferring it to the next council session to give staff an opportunity to come up with

the wording with the reminder that the only people who can vote are the ones that are currently present tonight. He said if there is an indication that the county is not going to succeed in the recommendation, as presented, then in his opinion it would be a waste of staff resource to put them through the process to come up with the proper wording for a resolution that is not going to fly.

It was moved by Councillor Harvey, seconded by Councillor Brill:

"THAT THIS ITEM BE DEFERRED TO THE NEXT COUNCIL SESSION"

MOTION TO DEFER CARRIED

11 IN FAVOUR

6 AGAINST

IN-CAMERA ITEM

It was moved by Councillor Barnet, seconded by Councillor Snow:

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

COUNCIL SESSION

June 21, 1994

PRESENT WERE: Mayor Ball  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Mitchell  
Councillor Deveaux  
Deputy Mayor Bates  
Councillor Hendsbee  
Councillor Bayers  
Councillor Smiley  
Councillor Reid  
Councillor Peters  
Councillor Merrigan  
Councillor Brill  
Councillor Snow  
Councillor Giffin  
Councillor Barnet  
Councillor Boutilier  
Councillor Harvey  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Dale Reinhardt, Acting Municipal Clerk  
Alan Dickson, Municipal Solicitor

=====  
The meeting was called to order at 6:00 p.m. with the Lord's Prayer and the observance of a one minute silence in remembrance of the Late George Green, Town Crier. Mr. Reinhardt called roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Fralick, seconded by Councillor Hendsbee:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

It was moved by Councillor Cooper, seconded by Councillor Bayers:

'THAT THE MARCH 7, 1994 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

It was moved by Councillor Barnet, seconded by Councillor Mitchell:

"THAT THE MARCH 28, 1994 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

It was moved by Councillor Snow, seconded by Councillor Meade:

"THAT THE APRIL 25, 1994 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

It was moved by Councillor Turner, seconded by Councillor Barnet:

"THAT THE MAY 3, 1994 COUNCIL MINUTES BE APPROVED"

MOTION CARRIED

It was moved by Councillor Hendsbee, seconded by Councillor Deveaux:

"THAT THE MAY 17, 1994 COUNCIL MINUTES BE APPROVED"

MOTION CARRIED

It was moved by Councillor Barnet, seconded by Councillor Rankin:

"THAT THE MARCH 7, 1994 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

PRESENTATION TO THE FAMILY OF THE LATE GEORGE GREEN

Councillor Sutherland made a presentation, on behalf of Halifax County, to the family of the Late George Green, Town Crier, Halifax County.

Mrs. Green thanked council.

PRESENTATION TO CADETS - COUNCILLOR SMILEY

Councillor Smiley made a presentation to four members of the Royal Canadian Army Cadet Corps, No. 2610 Sheet Harbour on their achievements at the Cadet National Air Rifle competitions.

PRESENTATION TO BOY SCOUTS - COUNCILLOR MITCHELL

Councillor Mitchell made a presentation to Boy Scouts from district 4 who are receiving their citizenship awareness badges.

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from Mr. George Armoyan requesting an opportunity to speak to council with respect to Millwood Village, Lower Sackville.

It was moved by Councillor Hendsbee, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from DASC industries requesting an appointment to the Board of Directors.

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Giffin, seconded by Councillor Fralick:

"THAT ART DUKESHIRE BE APPOINTED TO THE BOARD OF DIRECTORS"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications with respect to Capital Cost shared construction projects for 1994/95.

It was moved by Councillor Sutherland, seconded by Councillor Barnet:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the Halifax County Business Association requesting Metro Authority to relinquish any rights to waste management and that this responsibility be turned over to Halifax County.

It was moved by Councillor Sutherland, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from the Minister of Fisheries and Oceans with regards to council's concerns over the health of the herring stock.

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from the Department of Natural Resources in reply to council's request with respect to the abandoned railway line in the Beechville/Lakeside/Timberlea area.

It was moved by Councillor Meade, seconded by Councillor Rankin:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from the Department of Natural Resources with respect to Provincial Land Transactions.

It was moved by Councillor Mitchell, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from the Department of Education with respect to automation for the Halifax County Regional Library.

It was moved by Councillor Harvey, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from the Department of the Environment with regards to the registering of the Dufferin Gold Mine as Class I undertaking under the Environmental Assessment Act.

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from the Halifax County - Bedford District School Board with respect to school construction. He informed council that a copy of the guidelines could be provided to members of council on request.

It was moved by Councillor Hendsbee, seconded by Councillor Meade:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications with regards to Municipal Reform and the transfer of "J" class and local roads.

It was moved by Councillor Giffin, seconded by Councillor Hendsbee:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Mr. Reinhardt outlined a letter from the Town of Louisbourg requesting council's support in an effort to be excluded from the Municipal Reform package for their super municipality.

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

13. Mr. Reinhardt outlined a letter from the Department of Education in response to council's concern over the provincial share of funding for school boards.

It was moved by Councillor Barnet, seconded by Councillor Deveaux:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Fralick: